BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF	)	ORDER GRANTING
GRANITE TELECOMMUNICATIONS, LLC. FOR	)	CERTIFICATE OF
A CERTIFICATE OF AUTHORITY TO PROVIDE	)	AUTHORITY
INTEREXCHANGE TELECOMMUNICATIONS	)	
SERVICES AND LOCAL EXCHANGE	)	TC03-188
SERVICES IN SOUTH DAKOTA	)	

On October 17, 2003, the Public Utilities Commission (Commission) received an application for a certificate of authority from Granite Telecommunications, LLC (Granite).

Granite proposes to offer facilities-based and resold local exchange and resold intrastate interexchange telecommunications services within Qwest's service area in South Dakota. A proposed tariff was filed by Granite.

On October 23, 2003, the Commission electronically transmitted notice of the filing and the intervention deadline of November 7, 2003, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled December 2, 2003, meeting, the Commission considered Granite's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, with an effective date of December 17, 2003, subject to rural safeguards, and subject to the condition that Granite not offer prepaid services or require or accept deposits or advance payments without prior approval of the Commission.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3 and 49-31-69 and ARSD 20:10:24:02, 20:10:24:03 and 20:10:32:03. The Commission finds that Granite has met the legal requirements established for the granting of a certificate of authority. Granite has, in accordance with SDCL 49-31-3 and 49-31-71, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota.

The Commission approves Granite's application for a certificate of authority, subject to rural safeguards, and subject to the condition that Granite not offer prepaid services or require or accept deposits or advance payments without prior approval of the Commission. The certificate of authority for Granite shall authorize it to offer local exchange services in South Dakota, except in those areas served by a rural telephone company. In the future, should Granite choose to provide local exchange services statewide, with respect to rural telephone companies, Granite will have to come before the Commission in another proceeding before being able to provide local service in that rural service area pursuant to 47 U.S.C. § 253(f) which allows the Commission to require a company that seeks to provide service in a rural service area to meet the requirements in 47 U.S.C. § 214(e)(1) for designation as an eligible telecommunications carrier. In addition, the granting of statewide certification will not affect the exemptions, suspensions, and modifications for rural telephone companies found in 47 U.S.C. § 251(f). It is therefore

ORDERED, that Granite's application for a certificate of authority to provide interexchange telecommunications services and local exchange services is granted, effective December 17, 2003, subject to the condition that Granite not offer prepaid services or require or accept deposits or advance payments without prior approval of the Commission; and it is

FURTHER ORDERED, that Granite shall file informational copies of tariff changes with the Commission as the changes occur; and it is

FURTHER ORDERED, that the Commission shall authorize Granite to offer its local exchange services in South Dakota, except in those areas served by a rural telephone company.

Dated at Pierre, South Dakota, this 17th day of December, 2003.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By:_____

Date:_____

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

_____
ROBERT K. SAHR, Chairman

_____
GARY HANSON, Commissioner

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JAMES A. BURG, Commissioner